

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FOURTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 20258 of 2004

Between:

Y. Chinna Reddiah, S/o. Late Siva Ramaiah,
r/o. H.No. 85/119, Pathagullapalli,
Rayachoti Town, Kadapa District.

..... PETITIONER

AND

The Divisional Forest Officer, Mojam Jahi Market, Hyderabad.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of Mandamus declaring the action of the respondent in not releasing the Vehicle bearing registration no. AP 07 S 9441 in favour of the petitioner as illegal, improper, unjust, arbitrary and contrary to law and further direct the release the vehicle bearing registration no. AP 07 S 9441 in favour of the petitioner.

Counsel for the Petitioner:MR.K.G.KRISHNA MURTHY

Counsel for the Respondent: GP FOR FORESTS

The Court, at the stage of admission, made the following :

ORDER

Since the vehicle of the petitioner is involved in the offence of transportation of the Red Sandals, which is registered as Crime No.339 of 2004 under Section 29(4)(a)(i) of A.P. Forest Act, 1967 r/w Rule 3(2) of A.P. Red Sandals Wood Transit Rules, 1969, pending confiscation proceedings, the vehicle cannot be ordered to be released in view of the law declared by the Apex Court in **SECTION FORESTOR AND ANOTHER V MANSUR ALI KHAN**. However, it would suffice to direct the respondent to conclude the enquiry and pass final orders within a period of four months from the date of receipt of a copy of this order.

With the above direction, the writ petition is disposed of. No costs.

A. GOPAL REDDY. J.

4th November, 2004

tsr.

To

- 1 The Divisional Forest Officer, Mojam Jahi Market, Hyderabad.
2. Two C.C.s to Government Pleader for Forests, High Court Buildings, Hyderabad.
3. Two C.D. copies.